



Miedel & Mysliwiec LLP

MEMO ENDORSED

February 18, 2022

3/24/22

Hon. Colleen McMahon
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Cases adj. to April 6, 2022
At 2PM - time excluded through
April 6, in the interest of justice,
to facilitate plea negotiations.

RE: United States v. Jose Luis Pimentel
93-Cr-926
94-Cr-937

Your Honor:

These cases are scheduled for initial conference before this Court on February 23, 2022, at noon. I write with the consent of the government to request an adjournment of the conference by 30 days.

Mr. Pimentel was charged in a narcotics conspiracy in 1993 (Ind. No 93-Cr-926) and released on bail. He failed to appear, and bail jumping charges were filed in 1994 (Ind. No. 94-Cr-937). On January 24, 2022, Mr. Pimentel was arrested in a nursing home in Harlem, where he has resided for over one year following a series of strokes and complications from severe diabetes. Mr. Pimentel was arraigned by phone, and the parties agreed on a bail package, approved by the Magistrate Judge, to allow Mr. Pimentel to continue to reside in the nursing home.

Since then, the government and I have been engaged in plea negotiations, which are continuing. One of the challenges is that it has been difficult for me to get an accurate handle on Mr. Pimentel's medical condition. I am awaiting medical records which should shed light on the situation. Furthermore, I anticipate meeting with the nursing home staff within the next week or two. The parties expect that with additional time, a resolution can be reached.

Accordingly, I respectfully request an adjournment of the conference by 30 days. Mr. Pimentel does not object to an exclusion of time under the Speedy Trial Act from February 23rd to whatever day the Court sets for the next conference for each of the two indictments.

Respectfully submitted,

/s/

AUSA Jun Xiang (e-mail)

Florian Miedel

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